

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**PLANNED PARENTHOOD OF
NEBRASKA AND COUNCIL BLUFFS,**

Plaintiff,

vs.

**RICHARD P. NELSON, in his official
capacity as the Director of the
Nebraska Department of Health &
Human Services Finance and
Support, et al.,**

Defendants.

CASE NO. 4:03CV3329

**ORDER APPROVING SETTLEMENT
AND FOR DISMISSAL**

This matter is before the Court on the Joint Motion to Dismiss (Filing No. 121 and signature page at Filing No. 122). The joint motion complies with the requirements of Fed. R. Civ. P. 41(a)(1)(ii). The Court, being fully advised in the premises, approves the parties' settlement and finds that the action should be dismissed. Accordingly,

IT IS ORDERED:

1. The Joint Motion to Dismiss (Filing Nos. 121 and 122) is granted;
2. The Amended Complaint, all claims, and counterclaims asserted in this action are dismissed with prejudice;
3. The parties to the Settlement Agreement and Release ("the Agreement"), which is attached to the Joint Motion at Filing No. 121, shall comply with their respective obligations as set forth in the Agreement. The terms of the Agreement are incorporated into this Order by reference.

4. Except as provided in the Agreement, each party shall pay his or her own costs and attorney's fees.

DATED this 24th day of May, 2005.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge